the police are disliked and this attitude is readily transferred to the governmental stereotype constructed out of the individual's experience with law enforcement. 182 651 685

Law and Social Control

The [illegible] structure of Kaska society is associated with a complete lack of formal social control [illegible] following the [illegible] of the group into the larger white society. There is a tendency for the people to remain as much as possible aloof from the white man's [illegible] system of justice, interpersonal grievances within the Indian community rarely being brought to the adjudication of white courts. As a result, [illegible] the police, Indian Agent or white men. 626 691

The principal individual [illegible] compelling [illegible] conformity to the Indian and white expectations of behavior are guilt, shame, warnings, gossip, and fear of sanctions. Guilt and shame are [illegible] in [illegible] conformity to the Indian standard of [illegible], although they are notably weak in making behavior conform to those expectations of the white society that apply to drinking, brewing, trapping, and hunting. Guilt and shame can be [illegible] as [illegible] pressures. [illegible] defined this mechanism [illegible] if he does evil. "He knows it in his brain. Everything [illegible]." Conscience may often drive a person to make amends with the individual whom he has offended or it may prompt him to correct his behavior. [illegible] In the case of John [illegible], who began living with his brother's wife, strong antipathy and aggression [illegible] to those people who, he thought with some reason, were criticizing his conduct. On [illegible] occasion he tried to slough off responsibility for his actions by laying the blame on [illegible] the woman with whom he was living, and even on his brother. [illegible] the pang of conscience, as witness [illegible] party that had been accompanied by considerable violence and [illegible]. Although [illegible] forgave her husband for having been [illegible] behavior had not seriously harmed anyone, [illegible]. They presented to the ethnographer [illegible] they had begun. In general, however, the Kaska [illegible]. When the [illegible] is past, the offense tends to be quickly forgotten. [illegible] of a lingering sense of guilt (although it was [illegible]) [illegible] 626 157 [126]

[illegible] within the [illegible] community to induce adult social conformity by means of warnings and gossip, although the missionaries and police make stronger use of this technique. [illegible] Indians of [illegible] police and [illegible] with fine and arrest. [illegible] in another person's business, warnings [illegible] and close friends. [illegible] wife, for fear that word of his [illegible] to which [illegible] belonged and whom [illegible] emphasized his powerlessness to [illegible] my business. I never tell nobody what to do." [illegible] is the fear of arousing resentment and

693 provincial or Mounted Policeman acts as prosecutor and witness. In no case observed was
694 an accused Indian put under oath when he appeared before the court. The following examples of trials, abstracted from field notes, illustrate judicial process in Lower Post.

695
697
656
7/11/45. When Louis was called before the bar, he leaned forward comfortably on the table behind which the magistrate was seated. The latter told the accused to stand up. Louis obeyed but in a moment again leaned forward listening to the charge being read. Again the magistrate had to command the accused to stand erectly. Louis pleaded guilty to having been intoxicated and was fined fifteen dollars and costs. The arresting constable then reminded the magistrate of an additional penalty obtaining if the accused, an Indian, refused to divulge the source of the liquor. This section of the statute was read to Louis, who was then asked where he had obtained the beverage. Louis affirmed that he had found it in the bush. Sarcastic questions expressing the magistrate's disbelief of this reply could not shake Louis from his story. The constable then spoke up, saying that the accused was probably telling the truth and that there was no reason to doubt his word. Further sentence was thereupon suspended.

8/17/45. Three Indians and one white man were arraigned on charges of intoxication. Peter Long was called first. This was his second offense under the liquor statutes. After the charge had been read he was asked how he pleaded. When Peter failed to understand the question, he was asked directly whether or not he had been drinking liquor on the night in question. Peter denied drinking liquor, adding that he had drunk only a bottle of beer. Manifestly annoyed, the magistrate tried to explain that beer and liquor were both alcoholic beverages and therefore denied to Indians. "You evidently think you're allowed to drink beer but not whiskey." Peter again denied drinking whiskey. The magistrate insisted that if Peter admitted drinking beer he had also been drinking liquor. Misunderstanding, Peter tried to maintain his innocence from the charge by introducing the common term for an intoxicant—"[illegible]." The magistrate at once sharply reprimanded the Indian, saying: "Don't you dare use language like that in court." Peter did not grasp the rebuke and answered: "That's what I say, that [illegible]." The magistrate looked hopeless but let the word pass. He did, however, appeal for an interpreter who could speak the language of the accused. None was forthcoming. It was finally established that Peter Long realized his offense. His plea was recorded and he was fined sixty dollars and costs, with the alternative of two months in jail. He accepted the fine and was then asked where he had secured the beer. Refusal to answer, he was warned, would lead to an additional fine. Peter said he had found the beverage in the bush. This irritated the magistrate, who was apparently inclined not to believe the answer, although he finally accepted it. Peter was warned that a third offense would certainly earn him imprisonment with hard labor.

The second defendant was Dick Long who pleaded not guilty to the charge of intoxication. Two witnesses testified under oath to having seen Dick manifest signs of intoxication. The first witness was the Mounted Policeman, who had accompanied the provincial officer on the night of the arrest, while the second was the local constable himself. Both officers having seen the defendant walking "unsteadily" and "staggering." Dick declined the opportunity to question the witnesses, but said he had been getting water with a lame foot when he had [illegible] near the police. The magistrate found him guilty and imposed fine of fifteen dollars and costs, with the alternative of spending a month in jail. Dick chose the fine. Under further questioning he was insistent that he had found the liquor in the bush. This explanation angered the magistrate, who warned that he would be very severe if he were returned to Lower Post and again heard that story.

The third defendant was a young Bear Lake (Sekani) Indian man, who was temporarily stopping in Lower Post following employment with a government survey party. While the legally worded charge was being read the accused unknowingly turned his back on the magistrate. For this he was sharply rebuked. Pleading guilty, the youth was questioned concerning the source of the liquor. He affirmed that soldiers had given him a bottle of rum. The magistrate sarcastically remarked that such generosity to Indians was difficult to understand, since most soldiers were themselves short of liquor. He then imposed a fine of fifteen dollars and costs, and adjourned court while the defendant, in company with the provincial policeman, went to friends trying to borrow the money. The boy came to the ethnographer's cabin and there found Daisy Jim, an Indian woman, whose common law husband was a white man. The policeman had recently caught this woman in the company of her husband carrying a gunny sack of beer. Now, suffering from severe toothache, she was anxiously waiting to see if her offense would also come to trial. When the boy asked Daisy to contribute for money, the policeman became suspicious and remarked: "Maybe that's where you bought the liquor!" This accusation was firmly denied by both parties as well as by Daisy's white husband. 695 696 654

Trials are conducted so as to be punitive as well as judicial. Several times we heard the magistrate making an attempt to frighten the Indians from drinking. There is no question but that the people are afraid of court proceedings, although they are never sufficiently intimidated to reveal the true sources from which liquor is secured. Thereby they protect their access to these sources. Most of the time court proceedings are conducted on a level of formality and a plain of experience quite foreign to the Indians. The efforts of the magistrate to command respect and proper courtroom demeanor are both pitiful and amusing. 695

INTERNAL RELATIONS

In this section, cooperative action and conflict within the Kaska nation as a whole is considered. In the section immediately following discussion will take up relations between Kaska and non-Kaska individuals. 178

It is in keeping with the atomistic character of Kaska society that cooperation within a tribe or within the nation as a whole should be unknown. No mechanisms for bringing about the unified functioning of these groups are available and group sentiment is transitory and ephemeral. Under such conditions it is not surprising that the development of social policies has scarcely gained even a foothold in the group. About thirty-five years ago, under the direction of a white man, James Teit, the Kaska were involved in an attempt to further group interests by supporting a social ideology.* The movement was directed toward the preservation of the Indians' right to trap anywhere in the country without being confined to registered trap lines, which were at that time being introduced in British Columbia. As the first task of implementing this social policy, the Indians contributed money which was to be used to institute legal proceedings. Teit, however, is alleged to have absconded with the funds collected. At any rate, the policy met with no success. Even in this group movement, as reported by Old John, we can detect the spirit of individualistic opportunism at work. "We're trapping Yukon side. White man tell us, 'Yukon trappers put up five dollars. B.C. trappers put up one hundred dollars.' They do that. Old Chief put up five hundred 182 183 624 181

---

* We have adopted this term from [illegible] who uses it to refer to "a system of ideas which [illegible] [illegible] to [illegible] to gain or preserve certain interests." [illegible], The [illegible] [illegible] of [illegible] ([illegible]

535 rarely is there any conversation between the couple. When the music has stopped, the girl turns swiftly and returns to her place while the man joins his friends across the room or else stands outside the building until the next number is begun. Sometimes women too go outside. Men frequently dance while wearing their hats and, unless it is very warm, girls continue to wear their coats. Both sexes often dance holding an unfinished cigarette in their hands. In form, Kaska dancing may be described as a one-step, but some men in leading proceed in a monotonous walk-like step that has earned the soldiers' appellation, "Lower Post shuffle." The Tahltan do a square dance, but few Kaska Indians know this form. Waltzes are rarely played and are not well danced. White trappers when intoxicated are fond of introducing a variant of the one step. Calling, "woodpecker!" they execute the step by banging the heels forcefully on the floor instead of shuffling. Intoxicated young Indian men sometimes dance in this manner, and drunken musicians create considerable amusement by speeding up the tempo of playing, forcing everyone to dance rapidly. Occasionally a white man will fiddle for a dance. His playing is slower than the Indians' and he frequently interchanges the one step with waltzes, schottisches, and polkas to which the natives do not dance confidently.

[572] [579] One of the primary sources of enjoyment in dancing comes from the movement and rhythm. There are, however, other functions of a dance which contribute to its popularity. The first of these is the excitement which, even without the aid of alcohol, serves to break down the emotional constraint of the people and, like the gambling games, leads to some of the most intensive social interaction in the society. [832] Dances are also popular because they are among the few situations facilitating sexual interaction. Soldiers and civilian construction workers employed on the *Alaska Highway* recognized this function and often utilized dances to recruit Indian girls for sexual purposes. Complaints by traders and missionaries led the provincial and Mounted Police to pay surprise visits to dances and order out of town all strangers found there. [276] Indian dances are also visited by the police to detect evidence of drinking. Dances found in progress after midnight, Saturday, are ordered closed under the terms of a provincial law forbidding Sunday dancing.

525 *Gambling.* In contrast to dancing, not much time is spent in gambling. Card games, such as poker and blackjack, are played during the summer and winter but are considerably less intense than the stick games, which take place for a few consecutive nights each summer. When interest has been aroused in such a game, someone proposes that it be played and word travels through the community. Gradually people make their way to the designated spot. Gambling generally takes place some distance from town, since experience has taught the Indians that the resident constabulary and traders are likely to be displeased if kept awake by the sound of the drumming.

In preparation for gambling someone first cuts eleven tally sticks from green willow branches. These sticks, each about a foot long, are peeled and one end sharpened so that they can be thrust into the ground. The next task is to choose two sides. This is done informally, but the man who is most prominent in the choosing becomes the captain of his team. Each team usually contains an even number of men—from four to six. A youth is then [534] designated to manage the "drum," which may consist of a frying pan, a four gallon oil tin, or a tambourine drum specially prepared for gambling. The drum stick is a plain piece of thick willow.